GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Labour, Employment, Training and Factories Department – Public Services
Dr. R. Laxman Rajesh, Civil Assistant Surgeon, ESI Hospital, Visakhapatnam –
Punishment imposed for his unauthorized absence from 25.10.1999 to
05.11.2002 – Appeal against Punishment – Appeal allowed –Orders- Issued.

LABOUR EMPLOYMENT TRAINING & FACTORIES (IMS) DEPARTMENT

G.O.MS.No. 21   Dated:13.11.2014.
                                                  Read the following :

    1) G.O.Ms.No.6, LET&F (IMS) Deptt., Dt:30.01.2010
    2)From Dr. R. Laxman Rajesh, CAS, ESI Hospital, Visakhapatnam
      AppealDt:25.11.2013receivedthroughEndt.No.2107/M(LETF&B)/OSD/
      2013, Dated:25.11.2013.
    3) Govt Memo.No.8159/IMS-1/2013, Dated:04.12.2013.
    4) From the DIMS, A.P. Hyd Lr Rc.No.953/E1B/2013, Dt:29.01.2014.
    5) From Dr R.Laxman Rajesh, CAS ESI Hospital, Visakhapatnam,
      AppealDt:14.02.2014   received   through   Lr.No. M (LE&F,
    YS&SE/262/2014, dt:07.08.2014.

ORDER:-

In the 1st read above, orders were issued in respect of Medical Officers
who were unauthorized absence for more than one year and the reason for such
absence was for acquiring higher qualifications such as P.G. Degree/ Diploma
etc., only the major punishment of stoppage of one annual grade increment with
cumulative effect for each year of absence will be imposed and the period of
absence be treated as Leave for which the individual is eligible. Accordingly the
punishment of stoppage of (03) annual grade increments with cumulative effect
imposed on Dr.R. Lakshman Rajesh, Civil Assistant Surgeon, ESI Hospital,
Visakhapatnam and the period of absence from 25.10.1999 to 05.11.2002
treated as Leave for which the individual is eligible as the unauthorized absence
is for acquiring higher qualification.

2.   In the appeal petition 2nd read above, Dr. R. Laxman Rajesh, Civil
Assistant Surgeon, ESI Hospital Visakhapatnam has stated that the charge
framed was for unauthorized absence for prosecuted further studies. The
enquiry officer held that the charges are not substantiated. The short time
schedule compelled him to join the course in anticipation of relief from the
authorities a repn., was sent to Director of Insurance Medical Services through
proper channel, he got relieved from service. The permission was neither
denied, nor any communication was received from higher authorities.
Government did not sanction increments for his study period and for the period a
major penalty was imposed heavy financial loss and deprived him for next
promotion. Government did not consider the point that Enquiry Officer held that
the charge is not proved. He has therefore, requested setting aside the major
penalty and according post-facto permission to him for studying MS(ENT) under
Rule 84 of the APFRS.

3.   Government have examined the appeal petition of Dr. R. Laxman Rajesh,
Civil Assistant Surgeon it is found that authorities concerned neither granted
permission not rejected his request. Further the finding the departmental enquiry
was that the charge was not held proved. Therefore Government have decided
to consider the case separately from the other cases in the G.O.1st read above
and decided to set aside the major punishment and accord post facto permission
for studying MS(ENT) under Rule 84 of APFRS.

(P.T.O)

4.   Therefore, Government, after careful examination of the matter hereby allow the appeal petition and set aside the punishment imposed in respect of Dr. R. Laxman Rajesh, Civil Assistant Surgeon and order to sanction Extra Ordinary Leave without Pay and Allowances for the period from 25.10.1999 to 05.11.2002 for acquiring higher qualification.

5.   The Director of Insurance Medical Services, Andhra Pradesh, Hyderabad shall take necessary action accordingly in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J.C.SHARMA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director of Insurance Medical Services, Andhra Pradesh, Hyderabad.
 The individual through Director of Insurance Medical Services, Andhra Pradesh,
 Hyderabad
Copy to:-
The OSD to Hon'ble M (LETF&B)
Sf/Sc.

//FORWARDED :: BY ORDER//

SECTION OFFICER